

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ALBERT RUDGAYZER,

CASE NO. 5:12-cv-01399 EJD

ORDER DISMISSING CASE

Plaintiff(s),

v.

YAHOO!, INC.,

Defendant(s).

On December 12, 2012, the court ordered Plaintiff to show cause in writing by December 31, 2012, why this action should not be dismissed for failure to prosecute after Plaintiff failed to file an amended complaint. See Docket Item No. 37. The court advised Plaintiff that this case would be dismissed if he did not respond or otherwise demonstrate good cause why this case should not be dismissed. Id.

On December 26, 2012, Plaintiff filed a return indicating that he would not be filing an amended complaint. See Docket Item No. 40. Accordingly, this case is DISMISSED WITH PREJUDICE pursuant to Federal Rule of Civil Procedure 41(b). The Clerk shall close this file.

IT IS SO ORDERED.

Dated: January 2, 2013


EDWARD J. DAVILA
United States District Judge